

MONDAY, APRIL 13, 1992

EIGHTY-THIRD LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Michael Langell, St. Williams Catholic Church, Shelbyville, Tennessee.

Representative Phillips led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Garrett; due to illness.

Representative Jackson.

Representative Nuber; due to personal reason.

Representative Tullos; due to illness.

Representative Venable; due to out of town business.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

CONSENT CALENDAR

House Bill No. 2832 -- Obion County -- Provides for county legislative body to establish road district zones. Amends Chapter 202, Private Acts of 1984.

House Bill No. 2833 -- Shelbyville -- Creates office of vice mayor to be appointed by city council from city council. Amends Chapter 754, Private Acts of 1947, as amended.

Senate Joint Resolution No. 0415 -- Memorials, Retirement -- Erma Weakley, Cheatham County Sheriff's office.

Senate Joint Resolution No. 0419 -- Memorials, Sports -- Christian Brothers High School cheerleading squad.

Senate Joint Resolution No. 0420 -- Memorials, Public Service -- Contact USA, 25th anniversary.

Senate Joint Resolution No. 0429 -- Memorials, Death -- Esther Louise Miller of Memphis.

House Bill No. 2537 -- Adoption -- Allows commissioner of human services to promulgate rules and establish fees relative to post adoption searches; allows commissioner to reduce or waive fees based on recipient's ability to pay; requires fees received by department be deposited in state treasury. Amends TCA, Title 71, Ch. 1, Pt. 1.

House Bill No. 1975 -- Courts, Supreme Court of Tennessee -- Repeals in personam jurisdiction of chancery courts and written instruments executed by person being conclusive evidence against such person, unless denied under oath, because superseded by Supreme Court Rules. Repeals TCA 16-11-203, 24-5-104.

On motion, House Bill No. 1975 was made to conform with Senate Bill No. 1968.

On motion, **Senate Bill No. 1968**, on same subject, was substituted for House Bill No. 1975.

House Bill No. 2453 -- Williamson County -- Authorizes election commission to use computerized method of storing duplicate voter registration records.

House Bill No. 2434 -- Crime, Victims of -- Transfers moneys contained in victims of drunk drivers' compensation fund to criminal injuries compensation fund for purpose of providing sufficient funds to all eligible crime victims. Amends TCA 29-13-101, 104, 109, 111, 112, 116, 40-24-107, 67-4-606.

On motion, House Bill No. 2434 was made to conform with Senate Bill No. 2420.

On motion, **Senate Bill No. 2420**, on same subject, was substituted for House Bill No. 2434.

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House Bill No. 1769 -- Sunset Laws -- Solid waste disposal control board, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 7, Ch. 54; Title 68, Chs. 31, 46.

On motion, House Bill No. 1769 was made to conform with Senate Bill No. 1898.

On motion, **Senate Bill No. 1898**, on same subject, was substituted for House Bill No. 1769.

House Bill No. 1777 -- Sunset Laws -- Board of examiners for nursing home administrators, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 16; Title 68, Ch. 11.

On motion, House Bill No. 1777 was made to conform with Senate Bill No. 1905.

On motion, **Senate Bill No. 1905**, on same subject, was substituted for House Bill No. 1777.

House Bill No. 1779 -- Sunset Laws -- Board of dispensing opticians, June 30, 1999. Amends TCA, Title 4, Chs. 3, 29; Title 63, Chs. 8, 14; Title 68, Ch. 1.

On motion, House Bill No. 1779 was made to conform with Senate Bill No. 1905.

On motion, **Senate Bill No. 1906**, on same subject, was substituted for House Bill No. 1779.

House Bill No. 1782 -- Sunset Laws -- Air pollution control board, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 44, Ch. 18; Title 68, Chs. 25, 31, 46.

On motion, House Bill No. 1782 was made to conform with Senate Bill No. 1911.

On motion, **Senate Bill No. 1911**, on same subject, was substituted for House Bill No. 1782.

House Bill No. 1837 -- Sunset Laws -- Board of optometry, June 30, 1999. Amends TCA, Title 4, Ch. 29; Title 63, Ch. 8; Title 68, Ch. 1.

On motion, House Bill No. 1837 was made to conform with Senate Bill No. 1858.

On motion, **Senate Bill No. 1858**, on same subject, was substituted for House Bill No. 1837.

***House Bill No. 2067** -- Election Laws -- Provides if county election commission photocopies nominating petition, it shall indicate in upper right hand corner of each page that document was photocopied prior to disbursing form to candidate. Amends TCA 2-5-102.

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On motion, House Bill No. 2067 was made to conform with Senate Bill No. 2341.

On motion, **Senate Bill No. 2341**, on same subject, was substituted for House Bill No. 2067.

***House Bill No. 1732 -- Courts, Juvenile --** Permits juvenile court judge access to records pertaining to sexually transmitted diseases. Amends TCA 68-10-113.

***House Joint Resolution No. 0495 -- Highway Signs --** "Greg O'Rear Memorial Highway," portion of U.S. 43.

***House Bill No. 2422 -- Highway Signs --** "William Alexander 'Billy' Kelley Memorial Bridge," Rutherford County.

On motion, House Bill No. 2422 was made to conform with Senate Bill No. 2559.

On motion, **Senate Bill No. 2559**, on same subject, was substituted for House Bill No. 2422.

***House Bill No. 1850 -- Taxes, Real Property --** Authorizes counties and municipalities to adopt alternative discount of 3 percent on property taxes due in October if paid by end of July, 2 percent if paid by end of August and 1 percent if paid by end of September. Amends TCA, Title 67, Ch. 5.

***House Bill No. 1704 -- Highways, Roads and Bridges --** Revises population figures so that Giles County remains in law requiring qualifications for chief administrative officer of county department which builds and maintains roads of county. Amends TCA 54-7-104.

On motion, House Bill No. 1704 was made to conform with Senate Bill No. 1725.

On motion, **Senate Bill No. 1725**, on same subject, was substituted for House Bill No. 1704.

House Bill No. 2494 -- Insurance, Life -- Permits charities to have insurable interest on life of insured who consents to purchase or assign life insurance to such organization. Amends TCA, Title 56, Ch. 7, Pt. 3.

On motion, House Bill No. 2494 was made to conform with Senate Bill No. 2236.

On motion, **Senate Bill No. 2236**, on same subject, was substituted for House Bill No. 2494.

House Bill No. 0508 -- Tort Liability -- Limits civil liability for persons involved in equine activities. Amends TCA, Title 44.

House Bill No. 2700 -- Sunset Laws -- Four Lake industrial regional development authority, June 30, 2000. Amends TCA, Title 4,

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Ch. 29; Title 64, Ch. 5.

On motion, House Bill No. 2700 was made to conform with Senate Bill No. 2619.

On motion, **Senate Bill No. 2619**, on same subject, was substituted for House Bill No. 2700.

House Joint Resolution No. 0632 -- Memorials, Public Service -- Ann Manners.

House Joint Resolution No. 0636 -- Memorials, Sports -- Oakland High School boys' basketball team.

House Joint Resolution No. 0637 -- Memorials, Sports -- Black Fox Elementary School Hot Shots fitness team.

House Joint Resolution No. 0638 -- Memorials, Sports -- Lascassas Elementary School boys' and girls' basketball teams.

House Joint Resolution No. 0639 -- Memorials, Sports -- Kittrell Elementary School girls' basketball team.

House Joint Resolution No. 0640 -- Memorials, Sports -- Kittrell Elementary School cheerleaders.

Senate Joint Resolution No. 0439 -- Memorials, Interns -- Dana Marguerite Brown.

House Bill No. 2839 -- Weakley County -- Requires building permits for erection, construction or alteration of building or structure.

***House Bill No. 2498** -- Traffic Safety -- Prohibits driving in right hand lane within 500 feet of highway patrol officer parked on right shoulder with blue flashing lights on. Amends TCA, Title 55, Ch. 8, Pt. 1.

House Bill No. 2748 -- Zoning -- Removes specific authority of metropolitan government to order demolition of unoccupied buildings which are in disrepair or are in violation of municipal code. Amends TCA 7-3-305.

On motion, House Bill No. 2748 was made to conform with Senate Bill No. 2382.

On motion, **Senate Bill No. 2382**, on same subject, was substituted for House Bill No. 2748.

House Bill No. 2749 -- Zoning -- Removes authority for business establishment to continue operation or make expansion as nonconforming use under zoning classification. Amends TCA 13-7-208.

House Bill No. 2578 -- Insurance Companies, Agents, Brokers -- Removes attorney-in-fact for subscribers of reciprocal insurance

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from definition of "managing general agent". Amends TCA 56-6-502.

On motion, House Bill No. 2578 was made to conform with Senate Bill No. 2669.

On motion, Senate Bill No. 2669, on same subject, was substituted for House Bill No. 2578.

***House Bill No. 2399** -- Auditing -- Clarifies responsibility for payment of auditing and accounting services. Amends TCA 9-3-212.

On motion, House Bill No. 2399 was made to conform with Senate Bill No. 2589.

On motion, Senate Bill No. 2589, on same subject, was substituted for House Bill No. 2399.

***House Joint Resolution No. 0629** -- Highway Signs -- "Hoyet Gouge Memorial Bridge", Unicoi County.

***House Joint Resolution No. 0630** -- Highway Signs -- "Bill L. Bogart Memorial Bridge", Unicoi County.

***Senate Joint Resolution No. 0324** -- Memorials, Congress -- Expresses opposition to shifting of financial responsibilities for federal programs from federal government to state.

Senate Joint Resolution No. 0334 -- Memorials, Sports -- Milan High School football team.

House Resolution No. 0181 -- Memorials, Sports -- Hardeman County Development Center basketball team.

House Resolution No. 0182 -- Memorials, Heroism -- Mary Lou Brown, Lawrenceburg.

House Joint Resolution No. 0642 -- Memorials, Personal Occasion -- Mark and Andrew Scarbrough, 66th wedding anniversary.

House Joint Resolution No. 0643 -- Memorials, Death -- Albert F. "Pat" Officer.

House Joint Resolution No. 0644 -- Memorials, Death -- Nancy McCutcheon Underwood.

House Joint Resolution No. 0645 -- Memorials, Public Service -- Billy T. Green II.

House Joint Resolution No. 0646 -- Memorials, Death -- Dr. Maycie Southall.

House Joint Resolution No. 0647 -- Memorials, Heroism -- Carter County Veterans of Korean Conflict.

House Joint Resolution No. 0649 -- Memorials, Sports --

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Maryville College basketball team.

House Joint Resolution No. 0652 -- Memorials, Public Service -- Chattanooga Symphony and Opera Association.

House Joint Resolution No. 0653 -- Memorials, Public Service -- Allied Arts of Greater Chattanooga, board of directors.

House Joint Resolution No. 0654 -- Memorials, Public Service -- Thrasher Elementary School D.A.R.E. program and Signal Mountain Police Department.

House Bill No. 2336 -- Jackson County -- Abolishes authority of Gainesboro Port Authority to condemn land. Repeals Chapter 192, Private Acts of 1988.

House Bill No. 2389 -- Celina -- Changes election date for mayor and three aldermen from June 1991 to June 1993. Amends Chapter 90, Private Acts of 1991.

House Bill No. 2646 -- Jackson County -- Increases size of school board by one member. Amends Chapter 43, Private Acts of 1933, as amended.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 495: by Rep. Moore.

House Bill No. 508; by Rep. Head.

House Bill No. 1732; by Rep. Wood.

House Bill No. 1850; by Rep. Haley.

House Bill No. 2498; by Rep. U. Jones.

Under the rules, House Joint Resolution No. 495; also, House Bills Nos. 508, 1732, 1850 and 2498 was/were placed at the foot of the calendar for Wednesday, April 15, 1992.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	84
Noes.	0
Present and not voting.	7

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Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Givens, Gunnels, Haley, Halteman, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives present and not voting were: Arriola, Coffey, Collier, Ferguson, Hargrove, Rigsby, Rinks -- 7.

A motion to reconsider was tabled.

House Bill No. 2288 -- Landlord and Tenant -- Expands application of Residential Landlord and Tenant Act to 14 largest counties instead of four largest counties. Amends TCA 66-28-102.

Further consideration of House Bill No. 2288, previously considered on April 6, 1992, at which time it was reset to the Calendar for April 13, 1992.

Rep. Dixon moved that House Bill No. 2288 be reset to the Calendar for Thursday, April 16, 1992, which motion prevailed.

***House Bill No. 0341** -- Public Works Projects -- Increases minimum dollar amount of public works contracts from \$25,000 to \$100,000 above which contractors must post bond. Amends TCA 12-4-201.

Further consideration of House Bill No. 341, previously considered on April 1 and 8, 1991; April 1 and April 6, 1992, at which time it was re-referred to Calendar and Rules Committee, the Calendar and Rules Committee placed it on the Calendar for April 13, 1992.

Rep. Dixon moved that House Bill No. 341 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 1934** -- Sexual Offenses -- Requires person arrested for offense of prostitution to submit to HIV tests; requires person to pay \$100 for test if convicted; establishes procedure for notifying person of test results. Amends TCA, Title 39, Ch. 13, Pt. 5.

Further consideration of House Bill No. 1934, previously considered on April 1, 1992, at which time Amendments Nos. 1 and 2 were adopted, reset to the Calendar for April 6, 1992, then reset to the Calendar for April 13, 1992.

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Rep. Joyce moved that House Bill No. 1934 be reset one week to the Calendar for Monday, April 20, 1992, which motion prevailed.

House Bill No. 2696 -- Sunset Laws -- Elk regional resource authority, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 5.

Rep. King moved that House Bill No. 2696 be passed on third and final consideration.

Rep. King moved adoption of Government Operations Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2696 by deleting Section 2 in its entirety and by substituting instead the following new section:

SECTION _____. Tennessee Code Annotated, Section 4-29-214(a), is amended by adding a new item thereto, as follows:

() Elk regional resource authority, created by § 64-5-101;

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. King moved that **House Bill No. 2696**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

A motion to reconsider was tabled.

***House Bill No. 0459** -- Zoning -- Revises approval of certain

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amendments to zoning laws and issuance of certain licenses. Amends TCA, Title 13, Ch. 7; Title 57.

Rep. Joyce moved that House Bill No. 459 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 459 by deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 13, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. If a county enacts a zoning plan, such county shall establish a separate classification for adult oriented businesses under such plan.

SECTION 2. Tennessee Code Annotated, Title 13, Chapter 7, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section _____. If a municipality enacts a zoning plan, such municipality shall establish a separate classification for adult oriented businesses under such plan.

SECTION 3. This act shall take effect July 1, 1992, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Joyce moved that **Amendment No. 2** be withdrawn, which motion prevailed.

On request of Rep. Joyce, House Bill No. 459 was moved to the heel of today's calendar.

***House Bill No. 2449** -- Insurance, Health, Accident -- Enacts "Tennessee Small Employer Group Health Coverage Reform Act". Amends TCA, Title 56.

On motion, House Bill No. 2449 was made to conform with Senate Bill No. 2578.

On motion, **Senate Bill No. 2578**, on same subject, was substituted for House Bill No. 2449.

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Rep. McDaniel moved that **Senate Bill No. 2578** be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Amendment No. 1.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2578 by deleting Section 13(i)(4) in its entirety and by substituting instead the following:

In no event shall assessments exceed five percent (5%) of the total health benefit plan premiums earned in the state from health benefit plans covering small employers of members during the calendar year coinciding or ending during the fiscal year of the pool. If the board determines that the expected losses from the reinsurance program will exceed, during the calendar year, the five percent (5%) assessments set forth above, the requirements of Section 8(b) will be suspended.

AND FURTHER AMEND by inserting between the second and third sentences of amendatory subsection (d) of Section 8, the following sentence:

After this act has been in effect for one (1) year, the six (6) calendar months eligibility requirement set forth above shall no longer apply.

On request of Rep. McDaniel, Senate Bill No. 2578 was moved 10 places down on the Calendar.

House Bill No. 2136 -- Education, Higher -- Prohibits student assistance awards from being given to incarcerated students. Amends TCA, Title 49, Ch. 4, Pt. 3.

At the request of Rep. Venable, House Bill No. 2136 was reset to the Calendar for Wednesday, April 15, 1992.

***House Bill No. 1996** -- Consumer Protection -- Makes it a violation of Consumer Protection Act to advertise a business as "going out of business" more than 90 days prior to ceasing business. Amends TCA 47-18-104.

Rep. Moore moved that House Bill No. 1996 be passed on third and final consideration.

Rep. Purcell moved the previous question, which motion prevailed.

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Rep. Moore moved that **House Bill No. 1996** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	89
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Joyce Kent, Kernell, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Jones, R (Shelby) -- 1.

A motion to reconsider was tabled.

***House Bill No. 1757** -- Purchasing -- Increases minimum contract price from \$25,000 to \$50,000 which requires contractor to post bond as requisite for securing city, county or state public works contract. Amends TCA, Title 12, Ch. 4.

Rep. R. Jones moved that **House Bill No. 1757** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	63
Noes.	22
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Givens, Halteman, Hassell, Haun, Hillis, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Joyce Kernell, Kisber, Knight, Love, McDaniel, McKee, Napier, Niceley, Odom, Peroulas Draper, Phillips, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), West, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Bittle, Callicott, Chiles, Davidson, Duer, Ferguson, Fowlkes, Gunnels, Haley, Hargrove, Harrill, Head, Hill, Kent, Liles, McAfee, Meyer, Moore, Pinion,

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Walley, Whitson, Williams (Union) -- 22.

Representatives present and not voting were: Holcomb, Rigsby -- 2.

A motion to reconsider was tabled.

House Bill No. 2240 -- Criminal Procedure -- Permits delinquent taxes and delinquent general sessions court fines, costs and taxes to be collected by contract with collection agencies; sets formula for how moneys collected should be allocated. Amends TCA 40-24-105.

Further consideration of House Bill No. 2240, previously considered on April 6, 1992, at which time it was reset to the Calendar for April 13, 1992.

Rep. Hargrove moved that House Bill No. 2240 be passed on third and final consideration.

Rep. Davis (Knox) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2240 by deleting the words, figures and symbols "thirty percent (30%)" in Section 1(c) and by substituting instead the words, figures and symbols "fifty percent (50%)".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hargrove moved that **House Bill No. 2240**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	71
Noes.	17
Present and not voting.	3

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Fowlkes, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Hill, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Shelby), Wood, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Allen, Anderson, Bragg, Crain, Davidson, Ferguson, Givens, Gunnels, Head, Herron, Hillis, Liles, McKee, Robinson (Washington), Turner (Shelby), Windle, Winningham -- 17.

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Representatives present and not voting were: Dixon, Rhinehart, Wix -- 3.

A motion to reconsider was tabled.

House Bill No. 1701 -- State Government -- Enacts "State Government Quality Improvement Act of 1992".

On motion, House Bill No. 1701 was made to conform with Senate Bill No. 1716.

On motion, **Senate Bill No. 1716**, on same subject, was substituted for House Bill No. 1701.

Rep. Chumney moved that Senate Bill No. 1716 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Love moved to substitute State and Local Government Committee Amendment No. 1 to Amendment No. 1 for State and Local Government Committee Amendment No. 2, which motion prevailed.

Rep. Love moved adoption of Amendment No. 2 as follows:

Amendment No. 2

Amend Senate Bill No. 1716 by deleting in its entirety subsection (e) of Section 2 of the introduced bill, and by substituting instead the following language:

(e) The speaker of each of the respective houses of the general assembly shall each make the following appointments:

(1) one (1) of its members;

(2) one (1) person who is employed in the private sector and who has management experience in the fields such as quality improvement and quality control; and

(3) one (1) person who is a career service employee as defined in §8-30-101(3).

On motion, Amendment No. 2 was adopted.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

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Amendment No. 3

Amend Senate Bill No. 1716 by adding the following language immediately following the sentence which reads:

All travel expenses incurred by members of the task force and any other expenses of such task force shall be paid from the budget of the department of finance and administration:

Any other funds which are obligated or expended to implement or administer the provisions of this act shall also be paid from the budget of the department of finance and administration.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Chumney moved that **Senate Bill No. 1716**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	10
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Haley, Halteman, Hargrove, Hassell, Haun, Herron, Hill, Hillis, Holt, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McDaniel, McKee, Meyer, Moore, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Bittle, Bragg, Chiles, Gunnels, Harrill, McAfee, Niceley, Severance, Shirley, Williams (Union) -- 10.

Representatives present and not voting were: Head, Holcomb, Rhinehart -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from no to aye on Senate Bill No.

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1716 and have this statement entered in the Journal.

Rep. Doug Gunnels

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 1716 and have this statement entered in the Journal.

Rep. Mike Williams

REGULAR CALENDAR, CONTINUED

***House Joint Resolution No. 0547 --** Constitutional Conventions -- Proposes amendment to Article XI, Section 5, relative to income taxation and lotteries.

Rep. Chumney moved that House Joint Resolution No. 547 be reset to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

House Bill No. 1680 -- Sports -- Makes records of TSSAA public records; makes student transfer rules for eligibility in secondary athletic programs inapplicable if transfer because of custody change in student; makes participation in secondary school athletic programs property right. Amends TCA, Title 49, Ch. 2, Pt. 1.

Rep. Buck moved that **House Bill No. 1680** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 2568 --** State Government -- Requires submission of legislative budget summaries by each state department to senate and house finance, ways and means committees. Amends TCA, Title 9.

Rep. Sipes moved that House Bill No. 2568 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2568 by deleting the language "each department, commission and agency of state government" in the original Section 2(a) and by substituting instead the language "the department of education".

AND FURTHER AMEND by deleting the language "each department, commission, and agency on the basis of their" in the original Section 2(b) and by substituting instead the language

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"such department on the basis of its".

AND FURTHER AMEND by deleting the language ", commission or agency" in the original Section 3.

AND FURTHER AMEND by deleting the language "Each department, commission and agency of state government shall submit legislative budget summaries" in the original Section 4 and by substituting instead the language "The department of education shall submit its legislative budget summary".

AND FURTHER AMEND by designating the original language in Section 4 as subsection (a) and by adding the following new subsection (b):

(b) It is the intention of the general assembly that the information required by this act be presented in as concise a format as practicable. It is the further intention of the general assembly that this act be limited to the department of education as a pilot program to determine the efficacy of this act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Sipes moved that **House Bill No. 2568**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	0
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Ridgeway, Rigby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 91.

Representatives present and not voting were: Head, Rhinehart, Mr. Speaker Naifeh -- 3.

A motion to reconsider was tabled.

***Senate Bill No. 2482 -- Highway Signs -- Metropolitan-Nashville**

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Davidson County as "Home of Sara Lee Women's Golf Classic".

Further consideration of Senate Bill No. 2482, previously considered on March 25, 1992, at which time it was substituted for House Bill No. 2324, failed for lack of a Constitutional majority and was re-referred to Calendar and Rules Committee. On April 7 the Calendar and Rules Committee placed the bill on the Calendar for April 13, 1992.

Rep. West moved that **Senate Bill No. 2482** be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 1119** -- Guardianship -- Revises guardianship and conservatorship statutes. Amends TCA, Title 34.

On motion, House Bill No. 1119 was made to conform with Senate Bill No. 1325.

On motion, **Senate Bill No. 1325**, on same subject, was substituted for House Bill No. 1119.

Rep. Turner (Hamilton) moved that **Senate Bill No. 1325** be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1325 by deleting the period (.) at the end of Section 9(b) and by substituting instead the language "and the respondent."

AND FURTHER AMEND BY deleting from Section 41(b) the word "may" and by substituting instead the word "shall".

AND FURTHER AMEND BY deleting from Section 45(5) the word "any" and by substituting instead the word "an".

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Turner (Hamilton) moved that **Senate Bill No. 1325**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	1

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Haun -- 1.

A motion to reconsider was tabled.

House Bill No. 1938 -- Animals -- Authorizes Shelby County and municipalities located therein to regulate sale, ownership, keeping and destruction of cats and dogs.

On motion of Rep. Haley, **House Bill No. 1938** was withdrawn from the House.

***House Bill No. 2558** -- Correctional Programs -- Removes defendant's ability to pay as consideration by court in determining time and manner in which defendant will pay the cost of incarceration and treatment. Amends TCA, Titles 41, 55.

Rep. Kent moved that House Bill No. 2558 be passed on third and final consideration.

Rep. Kent moved to amend as follows:

Amendment No. 1

AMEND House Bill No. 2558 by deleting Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 41-2-128(c)(4), is amended by deleting the following language:

and shall be transported to and from the place of employment by the county in the same manner as all other participants

AND FURTHER AMEND by deleting subsection 2(a) in its entirety.

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On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kent moved that **House Bill No. 2558**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 1930 -- Naming and Designating -- Names new state special needs correctional facility in Davidson County "Lois M. DeBerry State Correctional Facility". Amends TCA 41-1-101.

On motion, House Bill No. 1930 was made to conform with Senate Bill No. 1887.

On motion, **Senate Bill No. 1887**, on same subject, was substituted for House Bill No. 1930.

Rep. Pruitt moved that **Senate Bill No. 1887** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Pruitt moved that **Senate Bill No. 1887** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	84
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Chumney, Clark,

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Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 84.

Representatives present and not voting were: Curlee -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1887 and have this statement entered in the Journal.

Rep. Billy Rigsby

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1887 and have this statement entered in the Journal.

Rep. Bill McAfee

REGULAR CALENDAR, CONTINUED

House Bill No. 2424 -- Motor Vehicles -- Permits vehicles used for law enforcement purposes to violate certain rules of the road without using siren or light if in route to scene of crime in progress and use would jeopardize safety of driver, member of public or would impair driver's ability to apprehend criminal. Amends TCA, Title 55, Ch. 8.

On motion, House Bill No. 2424 was made to conform with Senate Bill No. 2554.

On motion, **Senate Bill No. 2554**, on same subject, was substituted for House Bill No. 2424.

Rep. Hubbard moved that **Senate Bill No. 2554** be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation

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Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2554 by adding the following new section to precede the effective date section:

SECTION ____ Tennessee Code Annotated, Section 55-8-108, is further amended by adding the following language to the end of subdivision (c)(2):

(D) Nothing in this subsection shall be construed to authorize or change the liability of any law enforcement officer or agency for any action taken pursuant to this section.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hubbard moved that **Senate Bill No. 2554**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	52
Noes.	28
Present and not voting.	6

Representatives voting aye were: Allen, Anderson, Bell, Bivens, Chiles, Chumney, Clark, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Gunnels, Head, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, King, Kisber, Liles, McAfee, McDaniel, McKee, Moore, Napier, Niceley, Phillips, Pinion, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Washington), Tindell, Whitson, Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 52.

Representatives voting no were: Armstrong, Bittle, Bragg, Buck, Byrd, Dixon, Haley, Halteman, Harrill, Hassell, Hill, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, Knight, Peroulas Draper, Pruitt, Robinson (Hamilton), Shirley, Sipes, Stamps, Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union) -- 28.

Representatives present and not voting were: Arriola, Haun, Herron, Love, Odom, Severance -- 6.

A motion to reconsider was tabled.

***House Bill No. 1926 -- Sunset Laws** -- Adds as a criteria for sunset review the extent to which the entity has supported small businesses and minority owned businesses through bidding, purchasing and contracting policies and practices. Amends TCA 4-29-106; Title 8, Ch. 4, Pt. 1.

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Rep. R. Jones moved that House Bill No. 1926 be reset to the Calendar for Wednesday, April 15, 1992, which motion prevailed.

***House Bill No. 2114 -- Telecommunications --** Authorizes E-911 organizations to incur debt for the leasing and/or purchasing of necessary equipment. Amends TCA, Title 7, Ch. 86, Pt. 1.

Rep. McKee moved that House Bill No. 2114 be passed on third and final consideration.

On motion of Rep. Love, State and Local Government Committee Amendment No. 1 was withdrawn.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2114 by deleting everything after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended adding the following new section to be appropriately designated:

(a) Any board member, executive committee member, employee officer, or any other authorized person of an emergency communications district, who receives public funds, has authority to make expenditures from public funds, or has access to any public funds is hereby required to give bond made payable to the State of Tennessee with such sureties as hereinafter provided. Such bond is to be conditioned in all cases in which a different condition is not prescribed, upon the faithful discharge of the duties of such office, employment or other authorized activity in which he is engaged during the time he continues therein, or in the discharge of any part thereof.

(b) Such official bond shall be executed in the same form as that prescribed by TCA Section 8-19-101, for county and state officials and employees.

(c) The amount of such required bond shall be a reasonable amount as determined by the amount of public funds received, expended, or the amount of such bond shall be reasonable to protect the public from breach of the condition of faithful discharge of the duties of such office or position, when the amount of public funds to be received, or expended, or to which that person will have access is considered.

(d) All such official bonds shall be signed by

authorized individuals of a corporate surety, and such corporation shall be duly licensed to do business in the state of Tennessee as a surety.

(e) The official bonds required under this section are hereby required to be transmitted to the comptroller of the treasury, to be filed in his office, and be receipted for by him.

(f) Provisions for bonds of all state and county officers set forth in Chapter 19 of Title 8, shall also govern the bonds of all persons covered under this section, so far as the provisions of Chapter 19, Title 8, are not inconsistent with the provisions of this section.

(g) The respective emergency communications district shall pay the premiums for such bonds.

SECTION 2. Tennessee Code Annotated, Section 7-86-105, is amended by adding the following as a new subsection:

() No member of the board of directors shall be an employee of the emergency communications district.

SECTION 3. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended by adding the following as a new section to be appropriately designated:

(a) The board of each district in the state shall adopt and operate under an annual budget. The budget shall present a financial plan for the ensuing fiscal year, including at least the following information:

(1) Estimates of proposed expenditures for each department, board, office or other agency of the district, showing in addition, the expenditures for corresponding items for the last preceding fiscal year, projected expenditures for the current fiscal year and reasons for recommended departures from the current appropriations pattern in such detail as may be prescribed by the board. It is the intent of this item that all moneys received and expended by a district shall be included in the budget. Therefore, notwithstanding any other provision of law, no district may expend any moneys regardless of their source (including moneys derived from bond and long-term note proceeds, federal, state or private grants or loans, or special assessments), except in accordance with a budget adopted under this section.

(2) Statements of the bonded and other indebtedness of the district including the debt redemption and interest requirements, the debt authorized and unissued, and the condition of the sinking fund.

(3) Estimates of anticipated revenues of the district from all sources including non-tax revenues and proceeds from the sale of any bonds, notes or other debt obligations with a comparative statement of the amounts received by the district from each of such sources for the last preceding fiscal year, the current fiscal year, and the coming fiscal year in such detail as may be prescribed by the board.

(4) A statement of the estimated balance or deficit, as of the end of the current fiscal year.

(5) A statement of pending capital projects and proposed new capital projects, relating to respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts, if any, proposed to be raised therefor by the issuance of bonds, notes or other debt obligations during the fiscal year; and

(6) Such other supporting schedules as the board deems necessary, or otherwise required by law.

(b) The budget, and any amendments thereto, of each emergency communications district shall be filed with the chief executive of the appropriate county or municipality. Nothing herein shall prohibit or limit the authority of the board of directors from amending a budget after adoption.

SECTION 4. Tennessee Code Annotated, Section 7-86-114(a) and (b), is amended by deleting the current language in its entirety and substituting instead the following:

(a) Subject to the approval of the legislative body of a county or municipality wherein district is established, each district shall have power and is hereby authorized from time to time to issue its negotiable bonds, notes and debt obligations for lease and/or lease purchases in anticipation of the collection of revenues for the purpose of constructing, acquiring, reconstructing, improving, bettering or expanding any facility or service authorized by this chapter, or any combination thereof, and to pledge to the payment of the interest and principal of such bonds, notes or debt obligations

all or any part of the revenues derived from the operation of such facility, service or combination thereof. There may be included in the costs for which bonds or notes are to be issued, reasonable allowances for legal, engineering and fiscal services, interest during construction and for six (6) months after the estimated date of completion of construction, and other preliminary expenses, including the expenses of incorporation of the district.

(b) No bond, note or debt obligation authorized herein may be issued until the resolution authorizing the issuance of the bonds, notes or debt obligations, together with a statement shall show in detail the total outstanding bonds, notes, warrants, refunding bonds, and other evidences of indebtedness of the district, together with the maturity dates thereof, interest rates, special provisions for payment, the project to be funded by the bonds, notes of debt obligation, the current operating financial statement of the district and any other pertinent financial information, is submitted to the state director of local finance for review and he may report thereon to the district within fifteen (15) days from the date the plan was received by him and he shall immediately acknowledge receipt in writing of the proposed issue statement and information. The report thus received by the district shall be published once in a newspaper of general circulation in the county of the principal office of the district, during the week following its receipt. After receiving the report of the state director of local finance, and after publication of such report, or after the expiration of fifteen (15) days from the date the statement and information is received by the state director of local finance whichever date is earlier, the district may take such action with reference to the proposed issue as it deems advisable. Such report of the state director shall also be made a part of the bond, note or debt obligation transcript.

SECTION 5. Tennessee Code Annotated, Section 7-86-114(d), is amended by deleting the word "is" from the first line and substituting instead the phrase "or notes are" between the words "bonds" and "to be sold".

Further amend Section 7-86-114(d) by adding the phrase "or note" after the word "bond" wherever it may appear.

SECTION 6. Tennessee Code Annotated, Section 7-86-114, is amended by adding the following as a new subsection to be appropriately designated:

() Nothing herein shall prohibit or limit the authority of the board of directors from entering into

leases or lease purchases, so long as the term thereof does not exceed five (5) years, and no other approvals thereof shall be required.

SECTION 7. Tennessee Code Annotated, Section 7-86-114, is amended by adding the following as a new subsection to be appropriately designated:

() Notes may be issued in the same manner as bonds but shall mature at such time or times, not exceeding five (5) years.

SECTION 8. Tennessee Code Annotated, Section 7-86-114, is amended by adding the following as a new subsection to be appropriately designated:

()(1) The lease/lease purchase agreements authorized under this section shall be issued in the manner prescribed by Tennessee Code Annotated, Section 7-51-901 et. seq. For the purposes of applying TCA Section 7-51-901 et. seq., the district board of directors shall be deemed to be the governing body except that, all lease/lease purchase agreements exceeding five (5) years shall be subject to the approval of the appropriate county or municipal governing body.

(2) For the purposes of this section, in the provisions of Tennessee Code Annotated, Sections 7-86-115, 7-86-116 and 7-86-117, the words "bonds" or "bonds" shall be deemed to include notes.

(3) For the purposes of this section, in the provisions of Tennessee Code Annotated, Sections 7-86-116 and 7-86-117, the words "bond" or "bonds" shall include debt obligations for lease/lease purchases.

SECTION 9. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended by adding the following as a new section:

()(a) Bonds and/or notes issued pursuant to the provisions of this part may be sold at either public sale or private negotiated sale.

(b) All revenues including any debt obligation issued for the purpose of a lease/lease purchase must be expended according to the provisions of the "County Purchasing Law of 1983", Tennessee Code Annotated, Section 5-14-201 et. seq. For the purposes of applying TCA Section 5-14-201 et. seq., the district board of directors shall be deemed to be the governing body.

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SECTION 10. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended by adding the following as a new section:

() In order to provide a safe temporary medium for the investment of idle funds, emergency communications districts shall deposit and invest idle funds according to the provisions of Tennessee Code Annotated, Section 5-8-301.

SECTION 11. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended by adding the following as a new section:

() At every regularly scheduled meeting of the board of directors, the board must be provided with a financial report of the emergency communication district's activities in accordance with guidelines developed by the Comptroller of the Treasury.

SECTION 12. Tennessee Code Annotated, Title 7, Chapter 86, Part 1, is amended by adding the following as a new section:

() No member of the board of directors shall have control and/or custody of the financial assets of an emergency communications district. No member of the board of directors, on his or her sole authority, may authorize the disbursement, transfer, withdrawal or investment of any financial assets belonging to the emergency communications district.

SECTION 13. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. McKee moved that **House Bill No. 2114**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart,

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Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 1955** -- Transportation, Dept. of -- Establishes criteria for selecting truck weight and inspection sites. Amends TCA, Title 55, Ch. 7; Title 65, Ch. 15.

Further consideration of House Bill No. 1955, previously considered on March 16 and 19, 1992, at which time Amendment No. 1 was adopted; Amendment No. 2 withdrawn, and it was rereferred to the Transportation Committee; on April 8, 1992 Calendar and Rules Committee placed it on the Calendar for April 13, 1992.

On motion, House Bill No. 1955 was made to conform with Senate Bill No. 2340.

On motion, **Senate Bill No. 2340**, on same subject, was substituted for House Bill No. 1955.

Rep. Holcomb moved that **Senate Bill No. 2340** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

***House Bill No. 2450** -- Education -- Requires candidates for county boards of education to have G.E.D. to qualify for election. Amends TCA 49-2-202.

On motion, House Bill No. 2450 was made to conform with Senate Bill No. 2636.

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On motion, **Senate Bill No. 2636**, on same subject, was substituted for House Bill No. 2450.

Rep. McDaniel moved that **Senate Bill No. 2636** be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. McDaniel moved that **Senate Bill No. 2636** be passed on third and final consideration.

Rep. King moved the previous question, which motion prevailed.

Rep. McDaniel moved that **Senate Bill No. 2636** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	86
Noes.	5
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 86.

Representatives voting no were: Arriola, Odom, Purcell, Rigsby, Mr. Speaker Naifeh -- 5.

Representatives present and not voting were: Whitson -- 1.

A motion to reconsider was tabled.

House Bill No. 1873 -- Taxes, Real Property -- Allows reappraisal and equalization programs to be completed within four years as determined by assessor, property assessments director and approved by equalization board; requires updating of property values in third year of six year cycle. Amends TCA, Title 67, Ch. 5, Pt. 16.

On motion, House Bill No. 1873 was made to conform with Senate Bill No. 1963.

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On motion, **Senate Bill No. 1963**, on same subject, was substituted for House Bill No. 1873.

Rep. Copeland moved that **Senate Bill No. 1963** be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Copeland moved that **Senate Bill No. 1963** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	1
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, Meyer, Moore, Napier, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives voting no were: McKee -- 1.

Representatives present and not voting were: Herron -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from present not voting to aye on **Senate Bill No. 1963** and have this statement entered in the Journal.

Rep. Roy Herron

REGULAR CALENDAR, CONTINUED

***House Bill No. 0459 -- Zoning --** Revises approval of certain amendments to zoning laws and issuance of certain licenses. Amends TCA, Title 13, Ch. 7; Title 57.

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Further consideration of House Bill No. 459, discussed earlier today, at which time State and Local Government Committee Amendment No. 1 was adopted. Rep. Joyce withdrew Amendment No. 2, and requested that the bill be moved to the heel of today's Calendar.

Rep. Joyce renewed his motion that House Bill No. 459, as amended, be passed on third and final consideration.

Rep. Joyce moved to amend as follows:

Amendment No. 3

AMEND House Bill No. 459 by adding the following as a new section immediately preceding to the effective date section:

SECTION _____. The provisions of this Act shall not apply to zoning plans established to regulate adult oriented businesses prior to the effective date of this Act.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Joyce moved that **House Bill No. 459**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	8
Present and not voting.	4

Representatives voting aye were: Allen, Anderson, Arriola, Bittle, Bivens, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Copeland, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Purcell, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Williams (Shelby), Williams (Union), Windle, Wood, Mr. Speaker Naifeh -- 78.

Representatives voting no were: Armstrong, Bell, Crain, Davidson, McKee, Pruitt, Whitson, Winningham -- 8.

Representatives present and not voting were: Buck, Head, Rhinehart, Wix -- 4.

A motion to reconsider was tabled.

Senate Bill No. 2578 -- Insurance, Health, Accident -- Enacts "Tennessee Small Employer Group Health Coverage Reform Act". Amends TCA, Title 56.

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Rep. McDaniel moved that Senate Bill No. 2578 be reset to the Calendar for Thursday, April 16, 1992, which motion prevailed.

BILL RECALLED

Rep. U. Jones moved to suspend the rules to recall Senate Bill No. 1803 from the State and Local Government Committee for the immediate consideration, which motion prevailed.

***Senate Bill No. 1803** -- Alcoholic Beverages -- Lowers minimum seating requirement from 75 to 40 for wine only restaurants; lowers bond requirement to same 20 percent rate as privilege tax. Amends TCA 57-4-101, 57-4-302.

REGULAR CALENDAR, CONTINUED

House Bill No. 2730 -- Alcoholic Beverages -- Lowers minimum seating requirement from 75 to 40 for wine only restaurants; lowers bond requirement to same 20 percent rate as privilege tax. Amends TCA 57-4-101, 57-4-302.

On motion, House Bill No. 2730 was made to conform with Senate Bill No. 1803.

On motion, **Senate Bill No. 1803**, on same subject, was substituted for House Bill No. 2730.

Rep. U. Jones moved passage of **Senate Bill No. 1803** on third and final consideration, which motion failed by the following vote:

Ayes.	35
Noes.	44
Present and not voting.	8

Representatives voting aye were: Armstrong, Arriola, Bivens, Chiles, Chumney, Clark, Collier, Curlee, Davis (Knox), DeBerry, Dixon, Duer, Givens, Head, Johnson, Jones, R (Shelby), Jones, U (Shelby), Kent, Kernell, King, Kisber, Love, Napier, Niceley, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Severance, Tindell, Turner (Shelby), West, Whitson, Williams (Shelby), Mr. Speaker Naifeh -- 35.

Representatives voting no were: Anderson, Bell, Bittle, Bragg, Byrd, Callicott, Cole, Crain, Cross, Davidson, Davis (Gibson), Ferguson, Gunnels, Haley, Halteman, Harrill, Hassell, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Joyce Liles, McAfee, McDaniel, McKee, Meyer, Odom, Peroulas Draper, Phillips, Pinion, Rhinehart, Rigsby, Rinks, Shirley, Sipes, Stamps, Walley, Williams (Union), Windle, Winningham, Wood -- 44.

Representatives present and not voting were: Buck, Coffey, Fowlkes, Hargrove, Haun, Knight, Turner (Hamilton), Wix -- 8.

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Pursuant to **Rule No. 39**, Senate Bill No. 1803, having failed to receive a constitutional majority, was re-referred to the Calendar and Rules Committee.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from aye to no on Senate Bill No. 1803 and have this statement entered in the Journal.

Rep. Ken Givens

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 1399** -- Taxes, Personal Property -- Provides that equipment valued at \$500 or less is deemed to have no value for personal property tax purposes. Amends TCA 67-5-901.

On motion of Rep. Davis (Knox), Senate Bill No. 1399 was held on the Clerk's desk.

MOTION TO RECONSIDER

Rep. Rhinehart moved to lift from the table the motion to reconsider Senate Bill No. 1730, which motion prevailed.

Senate Bill No. 1730 -- Funeral Directors and Embalmers -- Revises certain fees for funeral directors and embalmers; revises authority of commissioner of commerce and insurance to regulate cemeteries. Amends TCA, Title 46; Title 62, Ch. 5, Pt. 4.

Rep. Rhinehart moved to reconsider action in passing Senate Bill No. 1730, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Rhinehart moved that **Senate Bill No. 1730** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill,

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Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Liles -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1897 -- Handicapped Persons -- Requires refueling services at gasoline stations be provided at self-service pump upon request of handicapped drivers of vehicles displaying plate or placard with cost for gasoline at self-service price; provides exemptions, penalties and enforcement. Amends TCA, Title 55, Ch. 21.

Senate Amendment No. 1

Amend House Bill No. 1897 by deleting from the amendatory language of the printed bill the words "department of revenue" wherever they appear and by substituting instead the words "department of safety".

Senate Amendment No. 2

Amend House Bill No. 1897 by deleting subsection (d) of Section 1 of the printed bill in its entirety and by substituting instead the following new language:

(d) The provisions of this section do not apply to any of the following facilities:

(1) Exclusive self-service gas stations which have remotely controlled gas pumps and which do not provide pump island service on a full-time basis.

(2) Convenience stores which sell gasoline, which have remotely controlled gas pumps and which do not provide pump island service on a full-time basis.

Rep. Phillips moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1897**, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Hamilton), Turner (Shelby), Wailey, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 2443 -- Lawrence County -- Revises districts for school board members. Repeals Chapter 344, Private Acts of 1972, as amended.

Senate Amendment No. 1

Amend House Bill No. 2443 by deleting Sections 2, 3 and 4 in their entirety and by substituting instead the following:

Section 2. Lawrence County shall be divided into nine (9) school districts which shall be coextensive with the county commissioner districts established by the county legislative body of Lawrence County following the 1990 census. School districts may be altered or reestablished from time to time by resolution of the county legislative body so long as such districts are of substantially equal population. One (1) member of the Lawrence County board of education shall be elected by the qualified voters in each school district. Board members shall be elected to staggered four (4) year terms so that the terms of approximately one-half (1/2) the board members shall expire every two (2) years. Persons elected in the regular August elections shall take office on September 1 following the election, and shall serve until a successor is elected and qualified.

Section 3. No incumbent member of the Lawrence County board of education shall be removed from office as a result of changes in the school districts in Lawrence County. In the event that changes in school districts result in a board member no longer residing in the district he or she represents, such member shall continue to hold office until the expiration of his or her term. If changes in the boundaries of school districts result in more than one (1) board member residing in a single district, all such members shall continue to hold office until their

respective terms expire, and no representative shall be elected in such district until the last such member's terms expire, and no representative shall be elected in such district until the last such member's term expires, at which time that district shall elect a resident to the board to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. If changes in the boundaries of school districts result in one (1) or more school districts which are without a board member residing therein, at the next regular August election a new school board member shall be elected from each such district to an initial term established by the county legislative body which will allow for continued staggered terms, and to four (4) year terms thereafter. It is to be understood that changes in the boundaries of school districts may result in the number of members on the board temporarily exceeding the number of school districts until the expiration of the terms of the members then in office.

Section 4. To accomplish the transition from the former three (3) school districts to the nine (9) school districts established under this act, the provisions of Section 3 of this act shall be followed so that the board members in office on the effective date of this act shall continue to serve until the expiration of their respective terms or until their successors are duly elected and qualified. At the August 1992 election, school districts 1, 4, 5, 7 and 8 shall each elect one (1) board member to a four (4) year term. At the August 1994 elections, school districts 2, 3, 6 and 9 shall each elect one (1) board member to a four (4) year term.

Rep. Moore moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2443, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

House Bill No. 2755 -- Tennessee Higher Education Commission -- Provides for annual report of educational achievements and satisfaction of students in public higher education institutions vis a vis other higher education students. Amends TCA, Title 49, Ch. 7, Pt. 2.

Senate Amendment No. 1

AMEND House Bill No. 2755 by deleting all the language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 2, is amended by adding a new section as follows:

Section 49-7-210.

(a) The Tennessee Higher Education Commission shall submit an annual report to the governor and to the general assembly. The annual report, which shall be incorporated into the annual Tennessee Challenge 2000 report as prescribed in TCA 49-5-5024, must be published prior to February fifteenth of each year beginning in 1993. Prior to publication, the higher education commission shall distribute a draft of the report to all public post-secondary institutions and shall allow comment upon the draft report. The higher education commission shall develop and adopt a format for the report and shall ensure consistent reporting and collecting of the data in the report by the institutions.

(b) Each public, four-year, postsecondary institution shall submit to the commission the following information for inclusion in the report, with the department of correction's students identified and reported separately:

(1) The number and percentage of accredited programs and the number and percentage of programs eligible for accreditation;

(2) The percentage of students accepted from those applying for admission in fall term, the percentage meeting admission standards, and average ACT score of newly admitted students;

(3) The number and percentage of undergraduate students who completed their degree program;

(4) Numbers of degrees, by discipline, awarded during the previous academic year;

(5) The percentage of lower division instructional courses taught by full-time faculty, part-time faculty, and graduate assistants;

(6) The percent and number of students enrolled in remedial courses and the number of students exiting remedial courses and successfully completing entry-level college courses;

(7) The percent change in the enrollment rate of African-American students and the change in the total number of African-American students enrolled over the past five (5) years;

(8) The number of full-time students who have transferred from a public, two-year, postsecondary institution; and

(9) Student scores on professional examinations with detailed information on state and national means, passing scores, and pass rates, as available, and with information on such scores over time, and the number of students taking each exam.

(c) Each public, two-year, postsecondary institution shall submit to the commission the following information for inclusion in the report:

(1) The number and percentage of accredited programs and the number and percentage of programs eligible for accreditation;

(2) Average ACT score of newly admitted students;

(3) The number and percentage of students who completed their degree program;

(4) Numbers of degrees, by discipline, awarded during the previous academic year;

(5) The percentage of courses taught by full-time faculty and part-time faculty;

(6) Job placement rates of graduates of vocational programs in fields of their education and training;

(7) The percent change in the enrollment rate of African-American students and the change in the total number of African-American students enrolled over the past five (5) years;

(8) The number of full-time students who have transferred into a public, four-year, postsecondary institution;

(d) Each public area vocational-technical school shall submit to the commission the following information for inclusion in the report:

(1) The number and percentage of students who completed their training program;

(2) Numbers of certificates, diplomas, and other awards, by discipline, granted during the previous academic year;

(3) Job placement rates of graduates in fields of their education and training;

(4) The percent change in the enrollment rate of African-American students and the change in the total number of African-American students enrolled over the past five (5) years;

(e) Information from the alumni survey conducted as part of the Performance Funding program must be included every two (2) years in the annual report as required herein.

(f) The higher education commission shall make no funding recommendation, capital outlay recommendation or distribution or certification on behalf of any public post-secondary institution that has not submitted the information required pursuant to this section.

(g) After discussions with the institutions, the higher education commission, in consultation with the house education committee and the senate education committee, shall develop the format for the higher education report as required herein.

(h) The report required by this section must be filed in magnetic media form if the information is available in that form.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2755**, which motion prevailed by the following vote:

Ayes.	92
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MESSAGE FROM THE SENATE

April 13, 1992

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1169; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 13, 1992

MR SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2723; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to Rule No. 59, as suspended, House Bills Nos. 1169 and 2723 were placed on the Message Calendar for Wednesday, April 15, 1992.

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**MESSAGE FROM THE SENATE
April 13, 1992**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 456 and 457; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

Senate Joint Resolution No. 0456 -- Memorials, Public Service --
Kathy Bogue Eggermann. by *Haynes.

Senate Joint Resolution No. 0457 -- Memorials, Sports -- Camden
High School boys' basketball team, TSSAA Class AAA state champions.
by *Crutchfield.

RULES SUSPENDED

Rep. Head moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 456 out of order, which motion prevailed.

Senate Joint Resolution No. 0456 -- Memorials, Public Service --
Kathy Bogue Eggermann. by *Haynes.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Head, the resolution was concurred in.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Wix, House Bill No. 2762 was recalled from the Calendar and Rules Committee.

On motion of Rep. Wix, **House Bill No. 2762** was withdrawn from the House.

RULES SUSPENDED

Rep. Kent moved that the rules be suspended for the immediate introduction of House Joint Resolution No. 658 and referral to the Calendar and Rules Committee, which motion prevailed.

House Joint Resolution No. 658 -- General Assembly, Studies --
Creates special joint committee to study emergency transportation of mentally ill persons. by *Kent.

RULES SUSPENDED

Rep. Kisber moved to suspend **Rule No. 81(1)**, relative to the
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time for placing bills on notice in Committee, so that House Bill No. 2718 could be heard by the Commerce Committee on Wednesday, April 15, 1992, which motion prevailed.

RULES SUSPENDED

Rep. Odom moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Bill No. 2463 could be heard by the appropriate Conservation and Environment subcommittee on Tuesday, April 15, 1992, which motion prevailed.

RULES SUSPENDED

Rep. Purcell moved that the rules be suspended for the introduction and passage on first consideration of House Bill No. 2852, which motion prevailed.

House Bill No. 2852 -- Lake City -- Adopts new charter; enacts hotel/motel tax. Repeals Chapter 239, Private Acts of 1939, as amended. by *Cross, *Williams M.

RULES SUSPENDED

Rep. Bivens moved that the rules be suspended for the recall of House Joint Resolution No. 590 from the State and Local Government Committee and referral to the Calendar and Rules Committee, which motion prevailed.

Rep. Bivens moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that House Joint Resolution No. 590 could be heard by the Calendar and Rules Committee on Tuesday, April 14, 1992, which motion prevailed.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 252: Rep(s). Sipes as prime sponsor(s).

House Bill No. 1055: Rep(s). Hill as prime sponsor(s).

House Bill No. 1701: Rep(s). Kernell and Stamps as prime sponsor(s).

House Bill No. 1727: Rep(s). Hill as prime sponsor(s).

House Bill No. 2449: Rep(s). Liles as prime sponsor(s).

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House Bill No. 2450: Rep(s). Givens as prime sponsor(s).

House Bill No. 2506: Rep(s). Crain as prime sponsor(s).

House Bill No. 2759: Rep(s). Johnson as prime sponsor(s).

House Bill No. 2803: Rep(s). Crain as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0184 -- Memorials, Sports -- Nate Anderson, football official. by *Robinson C B, *Dixon, *Jones R, *Love, *Pruitt, *Jones U, *King, *Armstrong, *Turner B, *Turner L, *DeBerry, *Copeland, *Wood, *Meyer, *McAfee.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0185 -- Memorials, Sports -- Milan High School football team. by *Davis Ray.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0655 -- Memorials, Sports -- Alcoa High School boys' basketball team. by *Anderson, *Huskey.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0657** -- General Assembly, Studies -- Continues joint study committee created by HJR 149 to study problem of drunk driving. by *Robinson Robb.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0660 -- Memorials, Illness -- Eric Phillips. by *Curlee.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0661 -- Memorials, Sports -- Rockwood Junior High School girls' basketball team, TNT Tournament champions. by *Ferguson.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0662 -- Memorials, Professional and Business Achievement -- Olin Corporation, 100th anniversary. by *Bivens, *Harrell, *McKee.

Referred by the Speaker to the Calendar and Rules Committee.

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**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0428 -- Memorials, Retirement -- Pastor Haddon Eugene Cotey.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0434 -- Memorials, Sports -- Camden High School girls' basketball team.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0435 -- Memorials, Death -- Dr. Alex Chambers.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0437 -- Memorials, Public Service -- Veronica F. Coleman, Juvenile Court Referee.

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 2823 -- Utilities, Utility Districts -- Requires utility districts in Unicoi County to be governed by five member board of commissioners; provides for plurality vote of subscribers present and voting at meeting to fill vacancy. Amends TCA 7-82-307. by *Whitson.

Passed first consideration.

House Bill No. 2834 -- Metropolitan Government -- Authorizes law enforcement officers to arrest for violations of metropolitan ordinances and courts to issue arrest warrants for violations of such ordinances. Amends TCA, Titles 7, 40. by *Purcell, *Love, *Pruitt, *West, *Clark, *Halteman, *Odom, *Arriola, *Chiles, *Robinson Robb.

Passed first consideration.

***House Bill No. 2835** -- Custody and Support -- Permits duty of support to be established by filing of original support petition or original paternity petition under Uniform Reciprocal Enforcement of Support Act. Amends TCA 36-5-207. by *Purcell.

Passed first consideration.

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House Bill No. 2845 -- McNairy County -- Enacts wheel tax. by *Rinks.

Passed first consideration.

House Bill No. 2846 -- Puryear -- Enacts new charter. Repeals Chapter 253, Acts of 1909, as amended. Amends TCA, Title, Ch. 253. by *Ridgeway.

Passed first consideration.

House Bill No. 2847 -- Henry County -- Deletes requirement of submitting subdivision plats to assessor. Amends Chapter 52, Private Acts of 1987. Amends TCA, Title, Ch. 52. by *Ridgeway.

Passed first consideration.

House Bill No. 2848 -- Henry -- Repeals old charter; enacts new charter. Repeals Chapter 52, Private Acts of 1979. by *Ridgeway.

Passed first consideration.

House Bill No. 2849 -- Hancock County -- Removes authorization for use of fishing nets in portions of Clinch and Powell Rivers. Repeals Chapter 374, Private Acts of 1953, as amended. by *Givens.

Passed first consideration.

House Bill No. 2850 -- Maryville -- Authorizes city judge to impose fines up to \$500 and to substitute community service. Amends Chapter 27, Private Acts of 1967, as amended. . by *Anderson.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 2000** -- Taxes, Real Property -- Revises law concerning property tax liens. Amends TCA, Title 67, Ch. 5, Pt. 26. (HB 2756).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2209** -- Municipal Government -- Allows municipalities to establish entertainment zones. Amends TCA, Title 13. (HB 2722).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2488** -- County Government -- Increases the minimum size of special committees appointed by a county legislative body acting pursuant to the County Financial Management System of

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1981. Amends TCA 5-21-105. (HB 2321).

Held pending third consideration of companion House Bill.

***Senate Bill No. 2643** -- Taxes, Sales -- Provides 100 percent tax credit for cost of pollution controls purchased by automobile body paint shops. Amends TCA 67-6-507. (HB 2591).

Held pending third consideration of companion House Bill.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 2840 -- South Pittsburg -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2841 -- Smyrna -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2842 -- Athens -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2843 -- Franklin County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 2844 -- Hickman County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

April 13, 1992

In accordance with **Rule No. 48**, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2840 and 2841.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

April 13, 1992

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Wednesday, April 15, 1992**: House Resolution(s) No(s). 184 and 185; House Joint Resolution(s) No(s). 655, 660, 661 and 662; House Bill(s) No(s). 2840 and 2841; also, Senate Joint Resolution(s) No(s). 428, 434, 435 and 437.

PHILLIPS, Chair.

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ENGROSSED BILLS
April 13, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2839; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1812, 1976, 2295, 2604, 2606 and 2839; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 656; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2194; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 2194 -- Landlord and Tenant -- Expands application of Residential Landlord and Tenant Act to 14 largest counties instead of four largest counties. Amends TCA 66-28-102. by *Cohen.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 452; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Senate Joint Resolution No. 0452 -- Memorials, Death --
Jefferson Davis Johnson. by *Crowe, Lawson, Atchley.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 331 -- Relative to proposing an Amendment to Article XI Section 5, Constitution of Tennessee. The resolution passed three reading in the Senate by a roll call vote in accordance with Article XI, Section 5, Constitution of the State of Tennessee.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 331 -- Constitutional Amendments --
Proposes amendment to Art. XI, Sec. 5, relative to income taxation and lotteries. by *Cohen, *Cooper, *Springer, *Crutchfield.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1677, 1719 and 2183; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2107; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1143, 1824, 1934, 2090, 2397, 2398 and 2626; also, Senate Joint Resolution(s) No(s). 426; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to request the return of Senate Bill No. 2137, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
April 13, 1992

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 459, 1757, 1996, 2114, 2240, 2336, 2389, 2453, 2537, 2558, 2568, 2646, 2696, 2749, 2832 and 2833; also, House Joint Resolution(s) No(s). 629, 630, 632, 636, 637, 638, 639, 640, 642, 643, 644, 645, 646, 647, 649, 652, 653 and 654; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 13, 1992

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 602 and 2030; also, House Joint Resolution(s) No(s). 569, 598, 611, 612, 613, 614, 617, 618, 619, 621, 623, 625, 634, 635 and 641; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Johnson, Jones, R (Shelby), Jones, U (Shelby), Joyce Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell,

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Turner (Hamilton), Turner (Shelby), Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, April 15, 1992.